IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO : 873 of 1998

Between:

1 Vadapalli Venkatacharyulu S/o. Anjaneyacharyulu
R/o.Duvva, Tanuku Mandal,
West Godavari District
2 Vadapalli Bhaskara Venkata Ramanujacharyulu,

S/o. Anjaneyacharyulu
R/o.Duvva Tanuku Mandal
West Godavari District

..... PETITIONERS

AND

1 The District Collector,
Eluru, West Godavari District.
2 The Mandal Revenue Officer,
Tanuku, West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents as illegal and ultravires to the provisions of Art.14, 21 and 300-A of the Constitution of India directing the Respondents not to interfere with the peaceful possession and enjoyment of the property bearing Sy.No.477 of Duvva Village, Tanku Mandal, West Godavari District being an extent of Ac.7.45 cents double crop wet land.

Counsel for the Petitioners: MR.B.M.PATRO

Counsel for the Respondents: GP FOR REVENUE

The Court made the following :

ORDER:

The grievance of the petitioners is that they are the absolute owners of an extent of Acs.7.45 cents of land situated in Sy.No.477 of Duvva Village and they are in peaceful possession of the same by raising agricultural crops every year. According to the petitioners, officials at the instance of the respondents unauthorisedly entered into their lands and started taking measurements and, when questioned, they informed that they are acquiring the said lands for constructing houses to weaker sections. The case of the petitioners is that the said action of the respondents in proposing to acquire their lands is without any authority of law and hence they filed the present writ petition seeking a declaration that the action of the respondents is illegal and ultra vires the provisions of Articles 14, 21 and 300-A of the Constitution of India.

While issuing rule nisi, this Court by its order dated 12-01-1998, directed the respondents not to dispossess the petitioners from the petition schedule lands, otherwise than by due process of law.

In the light of the said interim orders, no further orders are necessary and accordingly, the writ petition is closed.

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07-12-2004

vs

To

1 The District Collector,
Eluru, West Godavari District.
2 The Mandal Revenue Officer,
Tanuku, West Godavari District.

3 2CCs to the G.P for Revenue, High Court Buildings,

Hyderabad(O.U.T)

4 2CD copies